

JO ANN HOWARD AND ASSOCIATES, P.C.,)
SPECIAL DEPUTY RECEIVER OF LINCOLN)
MEMORIAL LIFE INSURANCE COMPANY,)
MEMORIAL SERVICE LIFE INSURANCE)
COMPANY, AND NATIONAL)
PREARRANGED SERVICES, INC., ET AL.,)

Plaintiffs,

v.

J. DOUGLAS CASSITY; RANDALL K.)
SUTTON; BRENT D. CASSITY; J. TYLER)
CASSITY; RHONDA L. CASSITY; ET AL.,)

Defendants.)

Case No. 09-CV-1252-ERW

**STIPULATED VOLUNTARY DISMISSAL WITH PREJUDICE
OF COMPLAINT AGAINST U.S. BANK, N.A.**

Plaintiffs and Defendant U.S. Bank, N.A. ("U.S. Bank"), under Fed. R. Civ. P. 41(a)(2), request an Order of the Court approving dismissal with prejudice of Plaintiffs' claims against U.S. Bank, as contained in Plaintiffs' Third Amended Complaint.

1. Plaintiffs and U.S. Bank stipulate and agree to this dismissal with prejudice.
2. There are no pending counterclaims or motions for summary judgment filed by U.S. Bank.
3. Plaintiffs' dismissal with prejudice against U.S. Bank shall not affect Plaintiffs' claims contained in Plaintiffs' Third Amended Complaint against the remaining defendants.

Dated this 8th day of March, 2015.

Respectfully submitted,

s/ Wendy B. Fisher

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Attorneys for Plaintiffs Jo Ann Howard and Associates, P.C., in its capacity as Special Deputy Receiver of Lincoln Memorial Life Insurance Company, Memorial Service Life Insurance Company, and National Prearranged Services, Inc.; the National Organization of Life and Health Insurance Guaranty Associations; the Missouri Life & Health Insurance Guaranty Association; the Texas Life & Health Insurance Guaranty Association; the Illinois Life & Health Insurance Guaranty Association; the Kansas Life & Health Insurance Guaranty Association; Oklahoma Life & Health Insurance Guaranty Association; the Kentucky Life & Health Insurance Guaranty Association; and the Arkansas Life & Health Insurance Guaranty Association

s/ Sandra J. Wunderlich

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CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2015, the foregoing **STIPULATED VOLUNTARY DISMISSAL WITH PREJUDICE OF COMPLAINT AGAINST U.S. BANK, N.A.** was filed electronically with the Clerk of Court and served by operation of the Court's electronic filing system upon all counsel of record in this case participating in Electronic Case Filing.

s/ Wendy B. Fisher

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